

## **Attachment A**

### **Local Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

#### **Domestic Violence Help**

For help regarding an abusive relationship, you may contact:

- National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY).
- Hawaii State Coalition Against Domestic Violence at (808) 832-9316.  
1164 Bishop St. Ste. 1609  
Honolulu, HI 96813  
Website: [www.hscadv.org](http://www.hscadv.org)  
Email: [mrocca@hscadv.org](mailto:mrocca@hscadv.org)
- Domestic Violence Action Center at (808) 531-3771  
P.O. Box 3198  
Honolulu, HI 96801-3198  
Website: [www.domesticviolenceactioncenter.org/](http://www.domesticviolenceactioncenter.org/)  
Email: [dvac@stoptheviolence.org](mailto:dvac@stoptheviolence.org)

#### **Domestic Violence Shelter Services (24-hr)**

- Oahu

Child and Family Service: (808) 841-0822  
Confidential Address  
Website: [www.childandfamilyservice.org](http://www.childandfamilyservice.org)

Parents and Children Together: (808) 526-2200  
(Ohia Domestic Violence Shelter)  
Confidential Address  
Website: [www.pacthawaii.org](http://www.pacthawaii.org)

Hale Ola Windward Abuse Shelter: (808) 528-0606  
PO BOX 1955  
Kailua, HI 96734  
Email: [aviswsas@yahoo.com](mailto:aviswsas@yahoo.com)

United Church of Christ Transition House: (808) 943-2837  
Confidential Address  
Email: megml@hawaii.rr.com

○ Hawaii (Big Island)

Hale Ohana Shelter: (808) 959-8864  
Confidential Address

Domestic Abuse Shelter – West Hawaii: (808) 322-7233  
Confidential Address

○ Kauai

YWCA Family Violence Program and Shelter: (808) 245-6362  
3094 Elua St.  
Lihue, HI 96766  
Email: diane.wada@ywcakauai.org

○ Maui

Women Helping Women Hale Lokomaika'i Shelter: (808) 579-9581  
1935 Main St. Ste. 202  
Wailuku, HI 96793  
Website: www.whwmaui.net  
Email: info@whwmaui.net

○ Lanai

Women Helping Women: (808) 565-6700  
PO BOX 631067  
Lanai City, HI 96763  
Email: lanai@whwmaui.net

○ Molokai

Hale Ho'omalua Shelter: (808) 567-6888  
PO BOX 839  
Kaunakakai, HI 96748  
Email: hhs@wave.hicv.net

## Programs & Intervention Services

### o Oahu

PACT Family Peace Center: (808) 585-7944  
(Pu'uhonua DV Crisis Counseling)  
1485 Linapuni St. Ste. 105  
Honolulu, HI 96819  
Website: [www.pacthawaii.org](http://www.pacthawaii.org)  
Email: [fpc@pacthawaii.org](mailto:fpc@pacthawaii.org)

PACT Family Visitation Center: (808) 847-0015  
Various locations  
Website: [www.pacthawaii.org](http://www.pacthawaii.org)  
Email: [fpc@pacthawaii.org](mailto:fpc@pacthawaii.org)

Catholic Charities Hawai'i (DV Therapy & Intervention)  
Men: (808) 527-4471  
Women: (808) 527-4476  
1822 Keeaumoku St.  
Honolulu, HI 96822  
Website: [www.catholiccharitieshawaii.org](http://www.catholiccharitieshawaii.org)  
Email: [jbloom@catholiccharitieshawaii.org](mailto:jbloom@catholiccharitieshawaii.org)

Child and Family Service – DOV: (808) 841-0822  
1130 North Nimitz Highway Ste. C-301  
Honolulu, HI 96817  
Website: [www.childandfamilyservice.org](http://www.childandfamilyservice.org)

Salvation Army Family Treatment Services: (808) 739-4952  
845 22<sup>nd</sup> Ave.  
Honolulu, HI 96816  
Website: [www.hawaii.salvationarmy.org](http://www.hawaii.salvationarmy.org)

Joyful Heart Foundation: (808) 531-3520  
245 N. Kukui St. Ste. 102A  
Honolulu, HI 96817  
Website: [www.joyfulheartfoundation.org](http://www.joyfulheartfoundation.org)  
Email: [info@joyfulheartfoundation.org](mailto:info@joyfulheartfoundation.org)

### o Hawaii (Big Island)

**Turning Point for Families:**

**East Hawaii: (808) 935-2188 / West Hawaii: (808) 323-2664**

**1045A Kilauea Ave**

**Hilo, HI 96720**

**Website: [www.childandfamilyservice.org](http://www.childandfamilyservice.org)**

**Hilo Family Visitation Centers at Hilo YMCA: (808) 935-3721**

**300 West Lanikaula St.**

**Hilo, HI 96720**

**Email: [ymcafamilyvisitation@hawaii.rr.com](mailto:ymcafamilyvisitation@hawaii.rr.com)**

○ **Kauai**

**YWCA Decision Point – Alternatives To Violence (ATV): (808) 245-5959**

**3094 Elua St.**

**Lihue, HI 96766**

**Email: [dennis@ywcakauai.org](mailto:dennis@ywcakauai.org)**

○ **Maui**

**Child and Family Service: (808) 877-6888**

**392 N. Market St.**

**Wailuku, HI 96793**

**Website: [www.childandfamilyservice.org](http://www.childandfamilyservice.org)**

**Women Helping Women (Lahaina): (808) 661-7111**

**392 N. Market St.**

**Wailuku, HI 96793**

**Website: [www.childandfamilyservice.org](http://www.childandfamilyservice.org)**

**PACT – Maui Family Peace Center: (808) 244-2330**

**81 N. Market St.**

**Wailuku, HI 96793**

**Website: [www.pacthawaii.org](http://www.pacthawaii.org)**

○ **Lanai**

**Women Helping Women: (808) 565-6700**

**PO BOX 631067**

**Lanai City, HI 96763**

**Email: [lanai@whwmaui.net](mailto:lanai@whwmaui.net)**

o Molokai

Hale Ho'omalū ATV: (808) 567-6888  
PO BOX 839  
Kaunakakai, HI 96748  
Email: [hhs@wave.hicv.net](mailto:hhs@wave.hicv.net)

Stalking Resources

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at

[www.victimsofcrime.org/our-programs/stalking-resource-center](http://www.victimsofcrime.org/our-programs/stalking-resource-center).

Sexual Assault & Human Trafficking

For help regarding sexual assault, you may contact resources available at the website for Hawaii Says No More at [www.hawaiisaysnomore.org/resources](http://www.hawaiisaysnomore.org/resources).

o Oahu

Ala Kuola (Hawaii Family Law Clinic): (808) 545-1880  
677 Ala Moana Blvd. Ste. 1005  
Honolulu, HI 96813  
Website: [www.alakuolahawaii.com](http://www.alakuolahawaii.com)

Catholic Charities Hawai'i: (808) 521-4357  
1822 Keeaumoku St.  
Honolulu, HI 96822  
Website: [www.catholiccharitieshawaii.org](http://www.catholiccharitieshawaii.org)

Hawaii Immigrant Justice Center: (808) 536-8826  
Neighbor Islands: 1-800-499-4302 ext. 279  
Website: [www.legalaidhawaii.org/immigrant-justice-center.html](http://www.legalaidhawaii.org/immigrant-justice-center.html)

Ho'ola Napua: (808) 445-3131  
PO BOX 22551  
Honolulu, HI 96823  
Website: [www.hoolanapua.org](http://www.hoolanapua.org)

Legal Aid Society of Hawaii (LASH): (808) 536-4302  
924 Bethel St.

Honolulu, HI 96813  
Website: [www.legalaidhawaii.org](http://www.legalaidhawaii.org)

Pacific Survivor Center: [info@pschawaii.org](mailto:info@pschawaii.org)  
PO BOX 3535  
Honolulu, HI 96811  
Website: [www.pschawaii.org](http://www.pschawaii.org)

The Sex Abuse Treatment Center: (808) 535-7273  
Harbor Court 55 Merchant St. 22<sup>nd</sup> Floor  
Honolulu, HI 96813  
Website: [www.satchawaii.org](http://www.satchawaii.org)

University of Hawai'i (Manoa) – Office of Gender Equity: (808) 956-4541  
2600 Campus Rd. QLCSS 210  
Honolulu, HI 96822  
Website: [www.manoa.hawaii.edu/genderequity](http://www.manoa.hawaii.edu/genderequity)  
Email: [geneq@hawaii.edu](mailto:geneq@hawaii.edu)

Children's Alliance of Hawai'i: (808) 599-2955  
200 N. Vineyard Blvd. Ste. 410  
Honolulu, HI 96817  
Website: [www.cahawaii.org](http://www.cahawaii.org)  
Email: [cah@childrensalliancehawaii.org](mailto:cah@childrensalliancehawaii.org)

808 Halt Coalition: (808) 851-7010  
Pacific Gateway Center 723-C Umi St.  
Honolulu, HI 96819  
Website: [www.808halt.com](http://www.808halt.com)  
Email: [avt@pacificgateway.org](mailto:avt@pacificgateway.org)

o Hawaii (Big Island)

Lokahi Treatment Centers: (808) 969-9292  
400 Hualani St. Bldg. 10 Ste. #195B  
Waiakea Villas  
Hilo, HI 96720  
Website: [www.lokahitreatmentcenters.net](http://www.lokahitreatmentcenters.net)  
Email: [info@lokahitreatmentcenters.net](mailto:info@lokahitreatmentcenters.net)

YWCA Hawai'i Island: (808) 935-0677  
145 Ululani St.

Hilo, HI 96720

Website: [www.ywcahawaiiisland.org](http://www.ywcahawaiiisland.org)

○ Kauai

YWCA Family Violence Program and Shelter: (808) 245-4144

3094 Elua St.

Lihue, HI 96766

Email: [diane.wada@ywcakauai.org](mailto:diane.wada@ywcakauai.org)

○ Maui

Child & Family Service – Neighborhood Place of Wailuku: (808) 873-8624

392 N. Market Street

Wailuku, HI 96793

Website: [www.childandfamilyservice.org](http://www.childandfamilyservice.org)

○ Lanai

Women Helping Women – Lana'i: (808) 579-9581

1144 Ilima Ave.

Lana'i City, HI

Website: [www.womenhelpingwomenmaui.com/programs/lanai/](http://www.womenhelpingwomenmaui.com/programs/lanai/)

○ Molokai

Child & Family Service – Moloka'i Office: (808) 553-5529

20A Ala Malama St.

Kaunakakai, HI 96748

**NOTICE OF OCCUPANCY RIGHTS UNDER  
THE VIOLENCE AGAINST WOMEN ACT**

U.S. Department of Housing and Urban Development  
OMB Approval No. 2577-0286  
Expires 06/30/2017

**Hawaii Public Housing Authority**

**Notice of Occupancy Rights under the Violence Against Women Act<sup>1</sup>**

**To all Tenants and Applicants:**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the federal low income public housing program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA."

**Protections for Applicants**

If you otherwise qualify for assistance under federal low income public housing program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

If you are receiving assistance under the HPHA's federal low income public housing program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under federal low income public housing program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

---

<sup>1</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.



## **Removing the Abuser or Perpetrator from the Household**

HPHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If HPHA chooses to remove the abuser or perpetrator, HPHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HPHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HPHA must follow Federal, State, and local eviction procedures. In order to divide a lease, HPHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

## **Moving to Another Unit**

Upon your request, HPHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HPHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA.

The criteria are:

- (1) **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your manager or the HPHA does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your manager may ask you for such documentation, as described in the documentation section below.
- (2) **You expressly request the emergency transfer.** Your manager or the HPHA may choose to require that you submit a form, or may accept another written or oral request.
- (3) **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably

believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HPHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HPHA's emergency transfer plan provides further information on emergency transfers, and HPHA must make a copy of its emergency transfer plan available to you if you ask to see it.

### **Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HPHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HPHA must be in writing, and HPHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HPHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HPHA as documentation. It is your choice which of the following to submit if HPHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HPHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he

or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.

- Any other statement or evidence that HPHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HPHA does not have to provide you with the protections contained in this notice.

If HPHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HPHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HPHA does not have to provide you with the protections contained in this notice.

### **Confidentiality**

HPHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HPHA must not allow any individual administering assistance or other services on behalf of HPHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HPHA must not enter your information into any shared database or disclose your information to any other entity or individual. HPHA, however, may disclose the information provided if:

- You give written permission to HPHA to release the information on a time limited basis.
- HPHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HPHA or your landlord to release the information.

VAWA does not limit HPHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HPHA cannot hold tenants who have been victims of domestic violence,

dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HPHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If HPHA can demonstrate the above, HPHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

### **Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with the Hawaii Public Housing Authority at 1002 N. School Street, Honolulu, HI 96817 or the Hawaii HUD Field Office at 1132 Bishop Street, Suite 1400 Honolulu, HI 96813-4918.

### **For Additional Information**

You may view a copy of HUD's final VAWA rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

Additionally, HPHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact your property manager or the HPHA's Property Management and Maintenance Services Branch at (808) 832-4696.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact the Hawaii State Coalition Against Domestic Violence at 808-832-9316.

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact resources available at the website for Hawaii Says No More at <https://hawaiisaysnomore.org/resources/>. Service providers are listed by island on their website.

Victims of stalking seeking help may contact resources available at the website for The National Center for Victims of Crime at <https://victimsofcrime.org/our-programs/stalking-resource-center/help-for-victims/state-information/hawaii>.

**Attachment:** Certification form HUD-5382: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation

**NOTICE OF OCCUPANCY RIGHTS UNDER  
THE VIOLENCE AGAINST WOMEN ACT**

U.S. Department of Housing and Urban Development  
OMB Approval No. 2577-0286  
Expires 06/30/2017

**Hawaii Public Housing Authority****Notice of Occupancy Rights under the Violence Against Women Act<sup>1</sup>****To all Tenants and Applicants:**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the federal section 8 program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

**Protections for Applicants**

If you otherwise qualify for assistance under federal section 8 program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

If you are receiving assistance under the HPHA’s federal section 8 program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under federal section 8 program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

---

<sup>1</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

### **Removing the Abuser or Perpetrator from the Household**

HPHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If HPHA chooses to remove the abuser or perpetrator, HPHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HPHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HPHA must follow Federal, State, and local eviction procedures. In order to divide a lease, HPHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

### **Moving to Another Unit**

Upon your request, HPHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HPHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA.

The criteria are:

- (1) **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your manager or the HPHA does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your manager may ask you for such documentation, as described in the documentation section below.
- (2) **You expressly request the emergency transfer.** Your manager or the HPHA may choose to require that you submit a form, or may accept another written or oral request.
- (3) **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably

believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HPHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HPHA's emergency transfer plan provides further information on emergency transfers, and HPHA must make a copy of its emergency transfer plan available to you if you ask to see it.

**Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HPHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HPHA must be in writing, and HPHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HPHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HPHA as documentation. It is your choice which of the following to submit if HPHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HPHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he



or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.

- Any other statement or evidence that HPHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HPHA does not have to provide you with the protections contained in this notice.

If HPHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HPHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HPHA does not have to provide you with the protections contained in this notice.

### **Confidentiality**

HPHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HPHA must not allow any individual administering assistance or other services on behalf of HPHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HPHA must not enter your information into any shared database or disclose your information to any other entity or individual. HPHA, however, may disclose the information provided if:

- You give written permission to HPHA to release the information on a time limited basis.
- HPHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HPHA or your landlord to release the information.

VAWA does not limit HPHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HPHA cannot hold tenants who have been victims of domestic violence,

dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HPHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If HPHA can demonstrate the above, HPHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

#### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

#### **Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with the Hawaii Public Housing Authority at 1002 N. School Street, Honolulu, HI 96817 or the Hawaii HUD Field Office at 1132 Bishop Street, Suite 1400 Honolulu, HI 96813-4918.

#### **For Additional Information**

You may view a copy of HUD's final VAWA rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

Additionally, HPHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact your property manager or the HPHA's Property Management and Maintenance Services Branch at (808) 832-4696.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact the Hawaii State Coalition Against Domestic Violence at 808-832-9316.

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact resources available at the website for Hawaii Says No More at <https://hawaiisaysnomore.org/resources/>. Service providers are listed by island on their website.

Victims of stalking seeking help may contact resources available at the website for The National Center for Victims of Crime at <https://victimsofcrime.org/our-programs/stalking-resource-center/help-for-victims/state-information/hawaii>.

**Attachment:** Certification form HUD-5382: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation